

_____Published in The Derby Reporter, **October 24, 2003**

ORDINANCE NO. **45-879**

AN ORDINANCE LEVYING ASSESSMENTS ON LOTS, PIECES AND PARCELS OF LAND IN THE CITY OF WICHITA, KANSAS, FOR THE PURPOSE OF PAYING A PORTION OF THE COST OF **IMPROVING 31ST ST NORTH, TO SERVE E.C. & L.R. COLE'S ADDITION TO CAREY PARK, TIMMERMEYER GARDENS, SCHLENDER & CASTER ADDITIONS AND UNPLATTED TRACTS IN SECTION 32, TWP 26, R1E, (PROJECT NO. 490-762/472-83271)**

WHEREAS, pursuant to the proceedings regularly had according to law, contracts have been let for the following improvement in the City of Wichita, Kansas:

IMPROVING 31ST ST NORTH, TO SERVE E.C. & L.R. COLE'S ADDITION TO CAREY PARK, TIMMERMEYER GARDENS, SCHLENDER & CASTER ADDITIONS AND UNPLATTED TRACTS IN SECTION 32, TWP 26, R1E, and such contracts have been duly performed, and

WHEREAS, the Governing Body has determined that the total cost of such improvement is **\$497,973.00** and that **\$388,568.00** be assessed against the improvement district and **\$109,405.00** be paid by the City at large, and

WHEREAS, said Governing Body has, after due notice, met and determined the amount of such special assessments.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. Special assessments to pay the cost of said improvement as authorized by **Resolution No. R-00-328**, adopted **September 12, 2000**, and published **September 16, 2000**, be and the same are hereby levied against the several lots, pieces and parcels of land liable for special assessment for said improvement as follows:

1DATE: 10/22/03

PETITIONED: YES

LEGAL OF PARCEL IN BENEFIT DISTRICT	ASSESSMENT
PAGE 1	
BEG 990 FT S NE COR SW1/4 S TO PT	54,572.29
1320 FT N SE COR SW1/4 W 661.5 FT	
N 387 FT M-L TO PT 990 FT S OF N LI	1,260.90
SW1/4 E TO BEG EXC E 30 FT FOR ST.	

SEC 32-26-1E	
BEG SW COR NE1/4 SW1/4 N 155 FT 7 IN. TH E 165 FT S 155 FT 7 IN. TH W 165 FT TO BEG EXC W 25 FT FOR ST. SEC 32-26-1E	4,867.49
BEG 155 FT 7 IN. N SW COR NE1/4 SW1/4 E 165 FT N 120 FT W 165 FT S TO BEG EXC W 25 FT FOR ST. SEC 32-26-1E	3,751.44
BEG 275 FT 7 IN. N SW COR NE1/4 SW1/4 N TO PT 990 FT S OF NW COR NE1/4 SW1/4 E 165 FT S TO PT E OF BEG W 165 FT TO BEG EXC W 25 FT FOR ST. SEC 32-26-1E	3,479.46
BEG 1320 FT N & 661.5 FT W SE COR SW1/4 N 387 FT M-L TO PT 990 FT S OF N LI SW1/4 W TO PT 497.76 FT E OF W LI NE1/4 SW1/4 S 228 FT E 54.5 FT S 22 FT E 24 FT S 135 FT E TO BEG SEC 32-26-1E	11,943.87 2,232.90
N 50 FT S 180 FT E 135 FT W 497.75 FT NE1/4 SW1/4 SEC 32-26-1E	1,507.28
BEG 487.75 FT E SW COR NE1/4 SW1/4 E 88.5 FT N 135 FT W 24 FT N 22 FT W TO PT 497.75 FT E OF W LI NE1/4 SW1/4 S TO PT 130 FT N OF BEG W 10 FT S 130 FT TO BEG SEC 32-26-1E	3,024.38 1,995.30
BEG 165 FT E SW COR NE1/4 SW1/4 N 382.73 FT M-L TO PT 990 FT S OF N LI SW1/4 E 167.75 FT S 384.14 FT M-L W 167.75 FT TO BEG SEC 32-26-1E	14,496.41 1,054.20
1	
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S 130 FT E 75 FT W 437.75 FT NE1/4 SW1/4 SEC 32-26-1E	2,177.18 1,141.50

N 200 FT E 135 FT W 497.76 FT OF THAT PART NE1/4 SW1/4 LY S OF N 990 FT THEREOF SEC 32-26-1E	6,029.10
LOTS 23-25-27 & 1/2 VAC ALLEY ON W BLOCK 1 COLE'S, EC & LR ADD. TO CAREY PARK	1,507.28
LOTS 29-31 & 1/2 VAC ALLEY ON W BLOCK 1 COLE'S, EC & LR ADD TO CAREY PARK	1,507.28
LOTS 33-35 & 1/2 VAC ALLEY ON W BLOCK 1 COLE'S, EC & LR ADD TO CAREY PARK	1,507.28
LOTS 37-39 & 1/2 VAC ALLEY ON W BLOCK 1 COLES, EC & LR ADD TO CAREY PARK	1,507.28
N 22 FT LOT 45 & ALL LOT 47 & 1/2 VAC ALLEY ON W BLOCK 1 COLE'S EC & LR ADD TO CAREY PARK EXEMPT NO. 95-4482-TX	1,507.28 796.50
LOTS 41 & 43 & S 3 FT LOT 45 & 1/2 VAC ALLEY ON W BLOCK 1 COLES'S, EC & LR ADD TO CAREY PARK EXEMPT NO. 95-4482-TX	1,597.71
LOTS 24-26 & 1/2 VAC ALLEY ON E BLOCK 1 COLE'S, EC & LR ADD TO CAREY PARK	753.64
LOTS 28-30 & 1/2 VAC ALLEY ON E BLOCK 1 COLE'S, EC & LR ADD TO CAREY PARK	1,507.28
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PAGE 3	
LOTS 32-34 & 1/2 VAC ALLEY ON E BLOCK 1 COLE'S, EC & LR ADD TO CAREY PARK	1,507.28

LOTS 36-38 & 1/2 VAC ALLEY ON E BLOCK 1 COLE'S, EC & LR ADD TO CAREY PARK 	1,507.28
LOTS 40-42 & S 1/2 LOT 44 & 1/2 VAC ALLEY ON E BLOCK 1 COLES, EC & LR ADD TO CAREY PARK 	1,884.21
N 1/2 LOT 44 ALL LOTS 46-48 & 1/2 VAC ALLEY ON E BLOCK 1 COLES, EC & LR ADD TO CAREY PARK 	1,883.98
LOTS 19-21-23 & S 5 FT LOT 25 & 1/2 VAC ALLEY ON W BLOCK 2 COLES, EC & LR ADD TO CAREY PARK 	150.73
LOT 25 EXC S 5 FT & 1/2 VAC ALLEY ON W BLOCK 2 COLES, EC & LR ADD TO CAREY PARK 	602.91
LOTS 27-29-31 & 1/2 VAC ALLEY ON W BLOCK 2 COLES, EC & LR ADD TO CAREY PARK 	2,260.91
LOTS 33-35-37-39 & 1/2 VAC ALLEY ON W BLOCK 2 COLE'S, EC & LR ADD TO CAREY PARK 	3,014.55
LOTS 41-43-45-47 & 1/2 VAC ALLEY ON W BLOCK 2 COLE'S, EC & LR ADD TO CAREY PARK 	3,014.55 1,014.60
LOTS 22-24-26-28 & 1/2 VAC ALLEY ON E BLOCK 2 COLES, EC & LR ADD TO CAREY PARK 	1,507.28
LOTS 30-32 & 1/2 VAC ALLEY ON E BLOCK 2 COLES, EC & LR ADD TO CAREY PARK 	1,507.28
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PAGE 4	
LOTS 34-36-38-40 & 1/2 VAC ALLEY ON E BLOCK 2 COLES' EC & LR ADD TO CAREY PARK	3,014.55

LOTS 42-44-46-48 & 1/2 VAC ALLEY ON E BLOCK 2 COLES, EC & LR ADD TO CAREY PARK	3,014.55 583.20
LOTS 21-23 & S 5 FT LOT 25 & 1/2 VAC ALLEY ON W BLOCK 3 COLES, EC & LR ADD TO CAREY PARK	150.73
N 20 FT LOT 25-ALL LOT 27 & 1/2 VAC ALLEY ON W BLOCK 3 COLES, EC & LR ADD TO CAREY PARK	1,356.55
LOTS 29-31 & 1/2 VAC ALLEY ON W BLOCK 3 COLE'S, EC & LR ADD TO CAREY PARK	1,507.28
LOTS 33-35 & 1/2 VAC ALLEY ON W BLOCK 3 COLE'S, EC & LR ADD TO CAREY PARK	1,507.28
LOTS 37-39 & 1/2 VAC ALLEY ON W BLOCK 3 COLES, EC & LR ADD TO CAREY PARK	1,507.28
LOTS 41-43 & 1/2 VAC ALLEY ON W BLOCK 3 COLE'S, EC & LR ADD TO CAREY PARK	1,507.28
LOTS 45-47 & 1/2 VAC ALLEY ON W BLOCK 3 COLE'S, EC & LR ADD TO CAREY PARK	1,507.28
LOTS 26-28-30-32-34 & 1/2 VAC ALLEY ON E BLOCK 3 COLES, EC & LR ADD TO CAREY PARK	3,768.19
LOTS 36-38-40 & 1/2 VAC ALLEY ON E BLOCK 3 COLES' EC & LR ADD TO CAREY PARK	2,260.91
1	
PAGE 5	
LOTS 42-44 & 1/2 VAC ALLEY ON E BLOCK 3 COLES, EC & LR ADD TO CAREY PARK	1,356.55

LOTS 46-48 & 1/2 VAC ALLEY ON E BLOCK 3 COLES, EC & LR ADD TO CAREY PARK	1,356.55
LOTS 25-27 & 1/2 VAC ALLEY ON W BLOCK 4 COLE'S, EC & LR ADD TO CAREY PARK	1,518.44
LOTS 29-31 & 1/2 VAC ALLEY ON W BLOCK 4 COLES' EC & LR ADD TO CAREY PARK	1,518.44
LOTS 33-35 & 1/2 VAC ALLEY ON W BLOCK 4 COLES, EC & LR ADD TO CAREY PARK	1,518.44
LOTS 37-39 & 1/2 VAC ALLEY ON W BLOCK 4 COLES, EC & LR ADD TO CAREY PARK	1,518.44
LOTS 41-43-45-47 & 1/2 VAC ALLEY ON W BLOCK 4 COLE'S, EC & LR ADD TO CAREY PARK	3,036.88 563.70
LOTS 26-28-30-32 & 1/2 VAC ALLEY ON E BLOCK 4 COLES, EC & LR ADD TO CAREY PARK	3,036.88
EVEN LOTS 34 TO 40 INC. & 1/2 VAC ALLEY ON E BLOCK 4 COLE'S, EC & LR ADD TO CAREY PARK	3,036.88
LOTS 42-44 & 1/2 VAC ALLEY ON E BLOCK 4 COLE'S, EC & LR ADD TO CAREY PARK	1,518.44
LOTS 46-48 & 1/2 VAC ALLEY ON E BLOCK 4 COLE'S, EC & LR ADD TO CAREY PARK	1,518.44 801.60
1 PAGE 6 LOT 3 TIMMERMEYER GARDENS ADD.	5,197.75

N1/2 LOT 4 TIMMERMEYER GARDENS ADD.	4,497.04
S1/2 LOT 4 TIMMERMEYER GARDENS ADD.	4,497.71
E1/2 LOT 5 TIMMERMEYER GARDENS ADD.	3,814.19
W1/2 LOT 5 TIMMERMEYER GARDENS ADD.	3,814.19
	283.50
LOT 6 & S 64 FT W1/2 LOT 7 TIMMERMEYER GARDENS ADD.	9,813.37
	624.00
LOT 7 EXC N 68 FT & EXC S 64 FT W1/2 THEREOF TIMMERMEYER GARDENS ADD.	2,180.52
N 68 FT LOT 7 TIMMERMEYER GARDENS ADD.	4,632.58
LOT 8 TIMMERMEYER GARDENS ADD.	8,990.50
S 45 FT LOT 22 & N 32 FT LOT 23 EXC W 10 FT DED FOR ST TIMMERMEYER GARDENS ADD.	2,096.56
S 50 FT LOT 23 TIMMERMEYER GARDENS ADD.	3,405.77
N 50 FT S 100 FT LOT 23 TIMMERMEYER GARDENS ADD.	3,405.33
LOT 24 EXC S 48 FT TIMMERMEYER GARDENS ADD.	5,722.73
S 48 FT LOT 24 & N 32 FT LOT 25 TIMMERMEYER GARDENS ADD.	5,451.42

S 80 FT LOT 25	5,452.54
TIMMERMEYER GARDENS ADD.	408.90
LOT 26	7,628.37
TIMMERMEYER GARDENS ADD.	252.00
S1/2 LOT 27	4,497.71
TIMMERMEYER GARDENS ADD.	
N1/2 LOT 27	4,496.82
TIMMERMEYER GARDENS ADD.	
N1/2 LOT 28	4,498.38
TIMMERMEYER GARDENS ADD.	
S 1/2 LOT 28	699.15
TIMMERMEYER GARDENS ADD.	
LOT 33	5,352.05
TIMMERMEYER GARDENS ADD.	
LOT 34	9,141.90
TIMMERMEYER GARDENS ADD.	
E1/2 LOT 35	3,876.71
TIMMERMEYER GARDENS ADD.	
W1/2 LOT 35 EXCEPT W 86.125 FT	1,724.77
TIMMERMEYER GARDENS ADD.	269.70
W 86.125 FT LOT 35	2,151.94
TIMMERMEYER GARDENS ADD.	328.50
E 163 FT LOTS 36-37 EXC N 108 FT	4,950.11
LOT 37 TIMMERMEYER GARDENS ADD.	408.00
N 28 FT LOT 37 & LOT 38 EXC N 80 FT	5,538.73
TIMMERMEYER GARDENS ADD.	
S 80 FT N 108 FT LOT 37	5,361.21
EXC E 10 FT FOR ST	
TIMMERMEYER GARDENS ADD	

N 80 FT LOT 38 TIMMERMEYER GARDENS ADD.	5,537.62
LOT 53 TIMMERMEYER GARDENS ADD.	9,137.66
LOT 54 EXC E 100 FT TIMMERMEYER GARDENS ADD.	6,193.23
E 100 FT LOTS 54-55 TIMMERMEYER GARDENS ADD.	5,448.52
	406.80
LOT 55 EXC E 100 FT TIMMERMEYER GARDENS ADD.	4,560.01
	774.60
S 1/2 LOT 57 TIMMERMEYER GARDENS ADD. EXEMPT 97-169-TX	4,576.31
N1/2 LOT 58 TIMMERMEYER GARDENS ADDITION	4,572.07
S1/2 LOT 58 - N 5.95 FT LOT 59 TIMMERMEYER GARDENS ADD.	775.74
LOT 1 CASTER ADDITION	1,116.50
	1,847.70
LOT 1 EXC E 60 FT SCHLENDER ADDITION	1,694.85
	1,151.10
E 60 FT LOT 1 SCHLENDER ADDITION	1,346.50
	959.70
LOT 2 SCHLENDER ADDITION	1,458.60
	913.50
LOT 3 SCHLENDER ADDITION	1,570.92
	945.60
LOT 4 SCHLENDER ADDITION	2,029.35

1		
PAGE	9	
LOT 5		2,037.84
SCHLENDER ADDITION		
LOTS 36-37 EXC E 163 FT & EXC N		4,483.08
108 FT LOT 37 TIMMERMEYER GARDENS		
0		
0	PROJECT 472 83271	388,568.00 SQUARE FT

SECTION 2. The amounts so levied and assessed as set forth in the foregoing Section 1 shall be due and payable from and after the date hereof at the Debt Management Section of the Finance Department. The owners of the properties will be given a period until 5:00 o'clock p.m. on **November 24, 2003**, during which the special assessments may be paid and the lien against the property for which the special assessment is paid shall thereupon be discharged and satisfied.

SECTION 3. That payment of said assessments may indefinitely be deferred against those property owners eligible for such deferral as provided in City of Wichita Ordinance No. 43-977.

SECTION 4. For any portion of the assessments which are not paid by the above specified date and time, general obligation bonds of the City, payable in installments over a period of not to exceed fifteen (15) years, will be issued as provided by K.S.A. 12-6a14 (c), and the principal amount of the unpaid assessments, together with interest on the unpaid principal balance thereof at a rate to be determined by the Governing Body (such rate not to exceed the maximum rate allowed by K.S.A. 10-1009, as amended) will be certified to the County Clerk of Sedgwick County, Kansas, for the aforesaid number of years, and will be levied against the property liable therefor in the same form and manner as, and will be collected at such time as is customary for, the levying and collecting of ad valorem property taxes, and the taxes so collected will be used for the purpose of paying the principal of and the interest on such general obligation bonds as they mature and become due. The first such levy shall be made for the year **2004**.

SECTION 5. This ordinance shall take effect and be in force as of and on **October 24, 2003** after its passage and publication once in the official city paper.

ADOPTED at Wichita, Kansas on **October 21, 2003**.

Carlos Mayans, Mayor

ATTEST:

Karen Schofield, City Clerk
(seal)

APPROVED AS TO FORM:

Gary Rebenstorf, Director of Law